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6                   UNITED STATES DISTRICT COURT  
7                   WESTERN DISTRICT OF WASHINGTON  
8                   AT SEATTLE

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10                 AMAZON.COM, INC., a Delaware  
11                 corporation; AMAZON.COM SERVICES  
12                 LLC, a Delaware limited liability company;  
13                 FELCO SA, a Swiss corporation; FLISCH  
14                 HOLDING SA, a Swiss corporation; and  
15                 PYGAR USA, INC., a Washington  
16                 corporation,

17                 Plaintiffs,

18                  v.

19                  THI TUYEN NGUYENT, PHAM DUC  
20                  LONG, NGO VAN QUYET, VU VIET  
21                  BAO, MANH VU VAN, VAN HOAD  
22                  TUONG, THO PHAM HIEW, DO QUANG  
23                  DAT, PLINA VOLKOVA and DOES 1-10,

17                 Defendants.

CASE NO. 2:22-cv-01506-JHC-BAT

**PRESERVICE SCHEDULING  
ORDER REGARDING  
DEFENDANTS NAMED IN  
AMENDED COMPLAINT**

18                 On October 24, 2022, Plaintiffs filed a complaint against 39 named Defendants alleging  
19                  unlawful sales of Felco-branded pruning shears. Dkt. 1. On February 2, 2023, the Court ordered  
20                  Plaintiffs to show cause why the case should not be dismissed for failure to effect service. Dkt. 6.  
21                  On May 17, 2023, Plaintiffs moved for expedited preservice discovery. The Court granted the  
22                  motion on May 19, 2023. Dkt. 15. On June 13, 2023, the Court ordered Plaintiff to file status  
23                  updates regarding the status of discovery, whether an amended complaint needs to be filed or

1 whether alternative service should be ordered. On September 19, 2023, Plaintiffs filed an  
 2 amended complaint.

3 The amended complaint is noteworthy because it deletes every Defendant named in the  
 4 original complaint and names new named Defendants, not previously mentioned.

5 Because nearly a year has passed since Plaintiffs initiated this action, the Court issues the  
 6 following ORDER:

- 7 1. Whether service is completed within the United States or in a foreign country,<sup>1</sup> by  
 December 19, 2023, Plaintiffs shall file: (a) an affidavit proving service; (b) a motion  
 for alternative service; (c) a motion requesting an extension of the time to serve,  
 setting forth all efforts taken over the last 90 days to serve defendants; and/or (d) a  
 motion for pre-service discovery.
- 12 2. If the Court grants any such motions, Plaintiffs shall, no later than March 18, 2024,  
 complete pre-service discovery and file: (a) an affidavit proving service; or (b) a  
 motion for an additional extension of the time to serve, detailing Plaintiffs' efforts to  
 complete service and when they expect to complete service.
- 16 3. This Order does not prevent Plaintiffs from taking these actions earlier than required.
- 17 4. If service upon all named Defendants is not perfected within one year of the date of  
 this Order, the Court anticipates issuing an order to show cause why the case should  
 not be dismissed without prejudice for failure to prosecute.

20 DATED this 19<sup>th</sup> day of September, 2023.

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22 <sup>1</sup> Although the 90-day time limit for service in Fed. R. Civ. P. 4(m) "does not apply to service in a foreign  
 23 country[,"] the rule "does not preclude the court from 'setting a reasonable time limit for service in a  
 foreign country to properly manage a civil case.'" *Inst. of Cetacean Research v. Sea Shepherd  
 Conservation Soc'y*, 153 F. Supp. 3d 1291, 1320 (W.D. Wash. 2015) (quoting *Baja Devs. LLC v. TSD  
 Loreto Partners*, 2009 WL 2762050, at \*1 (D. Ariz. Aug. 26, 2009)).

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3 BRIAN A. TSUCHIDA  
4 United States Magistrate Judge  
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PRESERVICE SCHEDULING ORDER  
REGARDING DEFENDANTS NAMED IN  
AMENDED COMPLAINT - 3